

Senate Engrossed

State of Arizona
Senate
Forty-sixth Legislature
Second Regular Session
2004

SENATE CONCURRENT MEMORIAL 1003

A CONCURRENT MEMORIAL

**URGING THE CONGRESS OF THE UNITED STATES TO PROPOSE AN AMENDMENT TO THE
CONSTITUTION OF THE UNITED STATES TO PROVIDE RIGHTS TO VICTIMS OF CRIME.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 To the Congress of the United States:

2 Your memorialist respectfully represents:

3 Whereas, criminal defendants are afforded numerous federal rights and
4 procedural protections; and

5 Whereas, victims of crime are not afforded any federal rights or
6 protections; and

7 Whereas, the people of this state believe in the individual rights and
8 liberties of all persons and have amended the Constitution of Arizona to
9 provide crime victims with rights and yet it is clear that without federal
10 constitutional rights, crime victims' rights are less meaningful and
11 enforceable.

12 Wherefore your memorialist, the Senate of the State of Arizona, the House of
13 Representatives concurring, prays:

14 1. That the Congress of the United States propose to the people an
15 amendment to the Constitution of the United States that provides rights to
16 crime victims and that embodies the following principles:

17 (a) The right to be informed of and not excluded from any public
18 proceedings relating to the crime.

19 (b) The right to be heard regarding any release from custody.

20 (c) The right to consideration for the safety of the victim, the
21 victim's interest in avoiding unreasonable delay and the victim's interest
22 in restitution.

23 (d) The right to be heard regarding any negotiated plea or sentence.

24 (e) The right to receive notice of release or escape.

25 2. That any amendment to the Constitution of the United States to
26 establish rights for crime victims grant standing to victims of crime to
27 assert all rights established by the Constitution.

28 3. That any amendment to the Constitution of the United States to
29 establish rights for crime victims should clearly state that the powers of
30 the states to provide victims' rights in criminal proceedings, including the
31 right to define and enforce such rights, shall not be restricted or
32 diminished by the Congress or the federal courts of the United States.

33 4. That the Secretary of State of the State of Arizona transmit copies
34 of this Memorial to the President of the United States Senate, the Speaker
35 of the United States House of Representatives and each Member of Congress
36 from the State of Arizona.

PASSED BY THE HOUSE APRIL 20, 2004.

PASSED BY THE SENATE MARCH 15, 2004.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 21, 2004.

Passed the House April 20, 20 04,

by the following vote: 44 Ayes,

12 Nays, 4 Not Voting

John Lake
Speaker of the House
Norman L. Fyfe
Chief Clerk of the House

Passed the Senate March 15, 20 04,

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting

Kyle Blumett
President of the Senate
Chaimen Bellinger
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 21 day of April, 20 04

at 11:32 o'clock A. M.

S.C.M. 1003

Janice K. Brewer
Secretary of State